

1 Adam Hosmer-Henner, Esq.
2 Nevada State Bar No. 12779
3 **McDONALD CARANO**
4 100 West Liberty Street
5 Tenth Floor
6 Reno, NV 89501
7 Tel: (775) 788-2000
8 Email: ahosmerhenner@mcdonaldcarano.com

9 Ashish Mahendru (*pro hac vice*)
10 Darren A. Braun (*pro hac vice*)
11 **MAHENDRU, P.C.**
12 635 Heights Blvd.
13 Houston, Texas 77007
14 Tel: (713) 571-1519
15 amahendru@thelitigationgroup.com
16 dbraun@thelitigationgroup.com
17 *Attorneys for Plaintiff*

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13 **IN THE UNITED STATES DISTRICT COURT**
14 **DISTRICT OF NEVADA**

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16 RB PRODUCTS, INC.,

17 Plaintiffs,
18 vs.

19 RYZE CAPITAL, L.L.C.; ENCORE
20 DEC, L.L.C.; RYZE RENEWABLES
21 RENO, L.L.C.; RYZE RENEWABLES,
22 L.L.C.; MICHAEL BROWN; CHRIS
23 DANCY; RESC, L.L.C.; RYZE
24 RENEWABLES LAS VEGAS, L.L.C.;
25 MATT PEARSON; AND RANDY
26 SOULE,

27 Defendants.

CASE NO.: 3:19-cv-00105-MMD-WGC

PLAINTIFF'S MOTION FOR
EXTENSION OF TIME TO RESPOND
TO DEFENDANTS' MOTIONS TO
DISMISS AND MOTION TO STAY

FIRST REQUEST

Plaintiff RB Products, Inc. (“RB Products”) files this Motion for Extension of Time to Respond to Defendants’ various motions identified below, and requests that it be permitted until June 30, 2019 to file responses. As discussed further below, good cause exists for this extension.

Plaintiff respectfully requests an extension through the end of June 30, 2019 to respond to Defendants’ following motions:

Party	Pleading	Document
Encore, RESC, Soule	Soule Defendants' Motion to Dismiss Amended Complaint	47
Encore, RESC, Soule	Soule Defendants' Answer to Amended Complaint	48
Ryze Capital, Ryze Las Vegas, Dancy, Pearson	Motion to Stay Plaintiff’s Claims Pending Arbitration	51
Ryze Capital, Ryze Las Vegas, Dancy, Pearson	Ryze Capital Defendants’ Motion to Dismiss and Memorandum of Points and Authorities In Support Thereof	52
Ryze Reno, Ryze Renewables	Joinder to Motion to Stay Plaintiff's Claims Pending Arbitration	53
Ryze Reno, Ryze Renewables	Joinder to Motion to Dismiss Amended Complaint	54
Ryze Capital, Ryze Las Vegas, Dancy, Pearson	Ryze Capital Defendants' Motion to Dismiss and Memorandum of Points and Authorities In Support Thereof (Corrected Image re Dkt 52)	55

Michael Brown	Brown's Joinder to Motion to Dismiss [52]	56
Michael Brown	Brown's Joinder to Motion to Dismiss [47]	57
Michael Brown	Brown's Joinder to Motion to Stay [51]	58
Michael Brown	Brown's Motion to Dismiss Plaintiff's Amended Complaint	59

Good cause exists for this extension because Plaintiff's lead counsel's firm, which consists of two lawyers, is scheduled to begin a jury trial on June 10, 2019 in the 284th District Court of Montgomery County, Texas. That trial is expected to last approximately one week, and will necessarily require trial preparation beforehand. Plaintiff's request for a 19-day extension for its responses is reasonable, as it would allow counsel to conclude that trial on or about June 17, 2019 and then start preparing Plaintiff's responses to the many pending motions.

Plaintiff has conferred with the Defendants regarding this extension and a possible agreed briefing schedule but has been unable to reach a complete consensus.

Defendants Ryze Capital Partners, Chris Dancy, Matt Pearson, Ryze Renewables Las Vegas, Ryze Renewables Reno, and Ryze Renewables are agreeable to Plaintiff's requested extension, with the proviso that their respective replies be due on July 26, 2019. Plaintiff is in agreement with this proviso.

1 Conversely, Defendants Encore, Randy Soule, RESC, and Michael Brown stated
2 that they are opposed to Plaintiff's request for an extension.¹

3 Due to the number of the pending motions—some of which will involve
4 complicated issues of non-signatory arbitration law—and due to the fact that Plaintiff's
5 lead counsel's firm will be in trial starting June 10th, Plaintiff contends that good cause
6 exists to extend the time for Plaintiff to file its responses to the above-identified
7 motions. Plaintiff respectfully requests this Court to grant Plaintiff's first request for
8 extension, and Order that Plaintiff's responses are due on June 30, 2019.
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27 ¹ It should be noted that Plaintiff stipulated to an extension of Defendants' deadline to file responsive pleadings
28 [Doc. #27].

1 Dated: May 31, 2019

Respectfully submitted,

2 /s/ Adam Hosmer-Henner

Adam Hosmer-Henner, Esq.

3 Nevada State Bar No. 12779

4 **McDONALD CARANO**

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5 Tenth Floor

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6 Tel: (775) 788-2000

7 Email: ahosmerhenner@Mcdonaldcarano.com

8 /s/ Ashish Mahendru

9 Ashish Mahendru (*pro hac vice*)

10 Darren A. Braun (*pro hac vice*)

11 **MAHENDRU, P.C**

639 Heights Blvd.

12 Houston, Texas 77007

Telephone: 713-571-1519

13 Facsimile: 713-651-0776

14 amahendru@thelitigationgroup.com

15 dbraun@thelitigationgroup.com

16 **ATTORNEYS FOR PLAINTIFF**

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CERTIFICATE OF SERVICE

I certify that on May 29, 2019, pursuant to Fed. R. Civ. P. 5(b); I am serving a true and correct copy of this **MOTION FOR EXTENSION OF TIME TO RESPOND TO DEFENDANTS' MOTION TO DISMISS AMENDED COMPLAINT** on the parties as set forth below via the Court's CM/ECF system:

DICKINSON WRIGHT, PLLC

John P. Desmond
Nevada Bar No. 5618
Justin J. Bustos
Nevada Bar No. 10320
100 West Liberty St., Ste. 940
Reno, NV 89501

LATHAM & WATKINS LLP

Joshua G. Hamilton
(*pro hac vice forthcoming*)
10250 Constellation Blvd., Ste. 1100
Los Angeles, CA 90067

Attorneys for Defendants Ryze Capital Partners, L.L.C., Ryze Renewables Las Vegas, L.L.C., Chris Dancy and Matt Pearson

LAXALT & NOMURA LTD

Daniel Hayward
Nevada Bar No. 5986
9790 Gateway Drive, Ste. 200
Reno, NV 89521

Attorney for Defendants, Ryze Renewables L.L.C., Ryze Renewables, Reno, L.L.C.

**HOLLEY, DRIGGS, WALCH, FINE,
PUZEY, STEIN & THOMPSON**

James W. Puzey, Esq.
Nevada Bar No. 5745
800 South Meadows Parkway, Suite 800
Reno, NV 89521

Attorney for Defendants Randy Soule,

1 *RESC, LLC, and Encore DEC, LLC*

2 **KOCH & SCOW, LLC**

3 David R. Koch

4 Nevada Bar No. 8830

5 Steven B. Scow, Esq.

6 Nevada Bar No. 9906

7 Brody R. Wight, Esq.

8 Nevada Bar No. 13615

9 11500 South Eastern Avenue, Suite 210

10 Henderson, NV 89052

11 **GARCIA RAINEY BLANK & BOWERBANK,**
12 **LLP**

13 Jeffrey M. Blank (*pro hac vice*)

14 Norma V. Garcia (*pro hac vice*)

15 695 Town Center Drive, Ste. 700

16 Costa Mesa, CA 92626

17 *Attorneys for Defendant Michael Brown*

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19
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21
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28
/s/ Ashish Mahendru

Ashish Mahendru

1 Adam Hosmer-Henner, Esq.
2 Nevada State Bar No. 12779
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4 100 West Liberty Street
5 Tenth Floor
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25 L.L.C.; RYZE RENEWABLES, L.L.C.;
26 MICHAEL BROWN; CHRIS DANCY;
27 RESC, L.L.C.; RYZE RENEWABLES LAS
28 VEGAS, L.L.C.; MATT PEARSON; AND
RANDY SOULE,

Defendants.

CASE NO.: 3:19-cv-00105-MMD-WGC

ORDER GRANTING PLAINTIFF'S
MOTION FOR EXTENSION OF TIME
TO RESPOND TO DEFENDANTS'
MOTIONS TO DISMISS AND MOTION
TO STAY

1 Before the Court is Plaintiff RB Products' Motion for Extension of Time to Respond to
2 Defendants' motions. This Court has reviewed the motion and finds that the requested relief
3 be granted.

4 IT IS THEREFORE ORDERED that Plaintiff's Motion for Extension of Time to
5 Respond to the pending motions (Dkt. Nos. 47, 48, 51, 52, 53, 54, 55, 56, 57, 58, and 59) is
6 hereby GRANTED.

7 Plaintiff's responses these motions are due on or before June 30, 2019.

8 IT IS SO ORDERED.

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11 DATED: May 31, 2019

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HON. MIRANDA M. DU
UNITED STATES DISTRICT JUDGE